

UNITED STATES DISTRICT COURT

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 05, 2021

SEAN F. MCAVOY, CLERK

United States of America
v.

Case No.1:21-MJ-04050-MKD - Amended

DESTINY PEARL DURAN

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 27, 2021 in the county of Yakima in the
Eastern District of Washington, the defendant(s)

Code Section

violated: Offense Description

1) ~~18~~ USC Section 841 (a)(1), (b)(1)(B)(viii)
21 (mkd)Possession with Intent to Distribute Not Less than 50 Grams of
a Mixture and Substance Containing Methamphetamine;2) ~~18~~ USC Section 841 (a)(1), (b)(1)(C)
21 (mkd)Possession with Intent to Distribute a Controlled Substance (a
mixture and substance containing Fentanyl).

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

B. Willis

Complainant's signature

Brandon Willis, Special Agent, ATF&E

Printed name and title

☒ Sworn to telephonically and signed electronically☒ Sworn to before me and signed in my presence.Date: 04/05/2021City and state: Yakima, Washington
West Richland (mkd)

m. k. Dimke



Judge's signature

MARY K. DIMKE, U.S. Magistrate Judge

Printed name and title

AUSA: TMS

COUNTY: YAKIMA

COMPLAINT AFFIDAVIT

1. On February 27, 2021, at approximately 6:00 p.m., Officer O. Martinez of the Toppenish Police Department (TPD) was on patrol. Officer Martinez observed a Honda Accord drive by his location. Due to prior contacts, Officer Martinez recognized the passenger of the vehicle to be Destiny P. Duran (Duran). Officer Martinez was aware that a felony warrant had been issued for Duran. Furthermore, Officer Martinez was aware that a no-contact order was in effect between Duran and her mother.

2. Officer Martinez conducted a traffic stop of the vehicle. He observed that Duran's mother was the driver, and Duran the front-seat passenger. Officer Martinez removed Duran from the vehicle. Officer Martinez observed Duran hand her mother a small black purse. The black purse had the letters "PB" on it. The black purse also had images of a Playboy bunny on the exterior. Your affiant is aware that Duran is a documented Playboy Sureno gang member known by the moniker "Thuggish."

3. Officer J. Vanderhoof of the TPD arrived to assist. Officer Vanderhoof advised that he believed that Duran's mother had a suspended license. Officer Martinez confirmed that Duran's mother had a suspended license.

4. Officer Martinez asked Duran's mother to exit the vehicle. At that time, Officer Vanderhoof observed what appeared to be a plastic bag containing

several blue and white pills with an undiscernible letter imprinted on them, and partially sticking out of the black purse. Based on Officer Vanderhoof's training and experience, to include multiple encounters in the past with similar-looking pills that subsequently tested positive as fentanyl, Officer Vanderhoof believe the pills are fentanyl.

5. The Honda Accord was subsequently towed and sealed with evidence tape. Officer Martinez obtained a search warrant of the vehicle. On March 4, 2021, Officer Martinez and Officer Vanderhoof executed the search warrant. The officers recovered approximately 107 blue pills contained within a plastic bag. The pills were blue and white and had "30" imprinted on one side, and an "M" imprinted on the other, consistent with fentanyl. Based on the pills' physical characteristics and the officers' multiple past encounters with similar-looking pills which tested positive for fentanyl, the officers believe the pills are fentanyl. During the tow of the vehicle, the plastic bag had completely fallen out of the black purse. The officers also recovered a small digital scale that contained a white residue. Due to their training and experience, the officers believed the white residue to be methamphetamine. The digital scale likewise fell out of the purse during the tow. The officers observed the words "Thuggish" and "PBS" written on the bottom of the scale. The officers found a Cash App Visa Card with the name "\$PBSThuggish13" imprinted on the front of the card. Also in large letters on the

bottom front of the card, the officers observed the words “PlayBoySurexos.” The officers found a photograph that depicted Duran and a small child. In another compartment of the purse, the officers located approximately 275.308 grams of suspected methamphetamine. Officer Martinez conducted a field test on the substance, which tested presumptively positive for methamphetamine. The bag also contained a small, blue measuring scoop. In the front zipper compartment of the purse, the officers discovered \$977.00 in U.S. currency. In the same compartment, the officers discovered five (5) .38 caliber rounds of ammunition.

6. Officer Martinez observed a light brown, female-styled leather jacket located beneath the purse. As he picked up the jacket, a loaded .38 Smith and Wesson firearm fell out of the jacket. Officer Vanderhoof determined who the registered owner of the firearm was. Officer Vanderhoof contacted the registered owner of the firearm, who confirmed that the firearm had been stolen on February 22, 2021. The registered owner subsequently traveled to the TPD station and identified the firearm as belonging to him.

7. Task Force Officer E. Horbatko (TFO Horbatko) of the Yakima Police Department (YPD) is currently assigned to the Drug Enforcement Administration (DEA) and is an experienced drug investigator with nearly 13 years of experience in narcotics investigation. TFO Horbatko reviewed the evidence in this case and concluded that the approximately 275 grams of methamphetamine

and 107 fentanyl pills were consistent with possession of narcotics with intent to deliver. TFO Horbatko noted that the presence of the digital scale, lack of user paraphernalia, the presence of a large amount of U.S. currency, a loaded firearm, and the way the drugs were packaged, are likewise consistent with drug trafficking.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

B. Willis
Brandon L. Willis
Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

SWORN TO telephonically and subscribed electronically this 5th day of April, 2021.

M. K. Dimke 

Honorable Mary K. Dimke
United States Magistrate Judge